

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

WILLIAM DAVIS, JR.

PLAINTIFF

vs.

CIVIL ACTION NO. 5:08cv8-DCB-JMR

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER

This cause came on this date to be heard upon the Report and Recommendation of the Chief United States Magistrate Judge, after referral of hearing by this Court, and there being no objections thereto filed by either party, and the Court, having fully reviewed the Report and Recommendation of the Chief United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of Chief United States Magistrate Judge John M. Roper, Sr. be, and the same is hereby, adopted as the finding of this Court, and that this case be dismissed without prejudice for Plaintiff's failure to serve summons on Defendant, failure to prosecute, and failure to comply with this Court's order of April 21, 2010.

A separate judgment will be entered herein in accordance with the Order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this the 30th day of August, 2010.

s/David Bramlette
UNITED STATES DISTRICT JUDGE